

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE
LITIGATION

This document relates to:
Track One Cases

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**[PROPOSED] ORDER GRANTING GENERIC
MANUFACTURERS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Upon consideration of the Generic Manufacturers'¹ Motion For Partial Summary Judgment ("Motion") and any opposition thereto, it is hereby ORDERED as follows:

1. Generic Manufacturers' Motion For Partial Summary Judgment is GRANTED.
2. Summary Judgment is granted in favor of Generic Manufacturers and Noramco, Inc. as to all false marketing claims in Counts I, III, V, VI, VII, VIII, IX, X, and XI in Plaintiffs' Third Amended Complaints.²

Honorable Judge Dan A. Polster

¹ Generic Manufacturers include those entities identified in fn. 1 of the Motion, including Actavis Pharma, Actavis LLC, Watson, Warner Chilcott Company, LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City, and Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida (collectively, the "Actavis Generic Defendants"); Endo Pharmaceuticals Inc.; Endo Health Solutions Inc.; Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. (incorrectly named as "Par Pharmaceutical Companies, Inc. f/k/a Par Pharmaceutical Holdings, Inc."); Teva Pharmaceuticals USA, Inc.; and the generics business of Mallinckrodt LLC and SpecGx LLC. Although Noramco, Inc. ("Noramco") is not a Generic Manufacturer, it joined the Motion as to Section III(A) of the Memorandum of Law.

² Summary judgment is granted as to Teva USA, Mallinckrodt LLC, and SpecGx LLC on these Counts only as to their generic medicines. The Actavis Generic Defendants are not defendants with respect to the false marketing claims in Counts I and III of Plaintiffs' Third Amended Complaints.